

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE CATV POLE ATTACHMENT)	
TARIFF OF FLEMING-MASON)	ADMINISTRATIVE
RURAL ELECTRIC COOPERATIVE)	CASE NO. 251-33
CORPORATION)	

O R D E R

Procedural Background

On September 17, 1982, the Commission issued an Amended Order in Administrative Case No. 251, "The adoption of a Standard Methodology for Establishing Rates for CATV Pole Attachments," and ordered electric and telephone utilities providing or proposing to provide CATV pole attachments to file tariffs conforming with the principles and findings of the Order on or before November 1, 1982.

On October 29, 1982, Fleming-Mason Rural Electric Cooperative Corporation ("Fleming-Mason") filed rates, rules, and regulations governing CATV pole attachments. On November 15, 1982, the Commission suspended Fleming-Mason's CATV pole attachment tariff to allow the maximum statutory time for investigation and comment from interested persons.

On November 19, 1982, the Kentucky Cable Television Association, Inc., ("KCTA") requested and was granted leave to intervene and comment on Fleming-Mason's CATV pole attachment tariff. On January 17, 1983, KCTA filed a statement of

objections to various CATV pole attachment tariffs, but made no specific objections in the case of Fleming-Mason.

The Commission considers the matter of Fleming-Mason's CATV pole attachment tariff submitted for final determination.

Findings

The Commission, having considered the evidence of record and being advised, is of the opinion and finds that:

1. Fleming-Mason's rules and regulations governing CATV pole attachments conform with the principles and findings of the Commission's Amended Order in Administrative Case No. 251, and should be approved, except as follows:

(a) On sheet 1, the late payment provision should be the same as that applied to other commercial classes of service.

(b) On sheet 6, when CATV operator abandons use of pole, the operator shall pay to the cooperative the full rental for said pole for the then current month.

(c) On sheet 1, the monthly/yearly rental charges shall be shown for each class.

2. Fleming-Mason's calculation of its annual carrying cost should be modified to exclude interest expense as this is covered by the "cost of money" component.

3. Fleming-Mason should be allowed to substitute 1982 Annual Report information to adjust its annual carrying charge, if the information is available and filed with the Commission.

ORDERS

IT IS THEREFORE ORDERED that Fleming-Mason's CATV pole attachment tariff as filed with the Commission on October 26, 1982, be and it hereby is dismissed.

IT IS FURTHER ORDERED that Fleming-Mason shall file revised rates, rules, and regulations governing CATV pole attachments with the Commission within 30 days from the date of this Order, and that the revised rates, rules and regulations shall conform with the findings of this Order.

IT IS FURTHER ORDERED that Fleming-Mason shall file detailed workpapers supporting its revised rates at the same time it files its revised rates, rules and regulations.

Done at Frankfort, Kentucky, this 31st day of March, 1983.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary